

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

UTGR, INC., d/b/a TWIN RIVER, et al: BK No. 09-12418  
Debtors Chapter 11

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**ORDER VACATING AND CONTINUING HEARING ON CONFIRMATION  
OF DEBTORS' SECOND AMENDED PLAN OF REORGANIZATION**

The hearing on Confirmation in the captioned case is scheduled for Tuesday, March 16, 2010, at 1:00 p.m. On Friday, March 12, at 7:09 p.m., the following pleading (Doc. No. 601) was filed electronically with the Court: "Notice of Filing of Declaration of Craig Eaton in Support of Confirmation of Debtors' Second Amended Joint Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code." The Notice of Filing states in its conclusion that:

... because the Debtors' progress towards obtaining enactment of these legislative initiatives [sic] is an issue of significant relevance to the hearing before the Court, scheduled to occur on March 16, 2010, to confirm the Debtors' Plan, the Debtors are filing the Eaton Declaration to provide the Court and all parties-in-interest with the most updated information possible on this issue.

Although the Debtors and all interested parties have been provided with the Court's home and mobile phone numbers for use in circumstances such as these, no personal after hours notice of said

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filing was provided, and the Court did not learn of said pleading until Monday, March 15, at approximately 10:30 a.m.

The six page document contains a sworn statement of Mr. Craig Eaton's qualifications and expertise, and a review of the Debtors' pre and post-petition legislative initiatives, concluding with the statement: "Accordingly, based on precedent, the supplemental budget, containing the legislative initiatives, could be passed and enacted into law by the first week in April 2010."

The Debtors are absolutely correct in saying that the legislative initiatives are and have been an issue of significant relevance throughout these proceedings, and the Eaton Declaration, as it was submitted, is taken by the Court as both inadequate and inconsiderate.

Although the Debtors' most recent "updated information possible on this issue" again falls short, at least of this Court's expectations, it is apparent and prudent in the circumstances to **VACATE** the scheduled March 16, 2010, hearing on Confirmation, and to **CONTINUE** said hearing to **Tuesday, April 20, 2010, at 1:00 p.m.**, which coincides with the next scheduled Omnibus Hearing. By that time the Debtors can give a more meaningful report on the status of the legislative initiatives.

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Entered as an Order of this Court.

Dated at Providence, Rhode Island, this 15<sup>th</sup> day of  
March, 2009.

A handwritten signature in black ink, appearing to read "Arthur N. Votolato", is written over a light gray rectangular background.

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Arthur N. Votolato  
U.S. Bankruptcy Judge

Entered on docket: 3/15/10